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19 [Additional Counsel Listed on Signature Page]

20
21 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

22 Cung Le, Nathan Quarry, and Jon Fitch, on behalf
23 of themselves and all others similarly situated,

Case No. 5:14-cv-05484-EJD

24 Plaintiffs,

25 v.

26 Zuffa, LLC, d/b/a Ultimate Fighting
27 Championship and UFC,

ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED PURSUANT
TO CIVIL L. R. 3-12 AND 7-11

28 Defendant.

1 Brandon Vera and Pablo Garza, on behalf of
2 themselves and all others similarly situated,

3 Plaintiffs,

4 v.

5 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

6 Defendant.

7
8 Case No. 5:14-cv-05621-NC

9 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

10 PLEASE TAKE NOTICE that, pursuant to Civil Local Rules 3-12 and 7-11, Plaintiffs Cung Le,
11 Nathan Quarry, and Jon Fitch (collectively, "Plaintiffs") submit this administrative motion requesting the
12 Court to consider whether *Vera et al v. Zuffa, LLC*, Case No. 5:14-cv-05621-NC (the "Vera Action"), filed
13 in this District on December 24, 2014, should be related to this action, *Le et al. v. Zuffa LLC*, Case No.
5:14-cv-05484-EJD (the "Le Action"), filed December 16, 2014.

14 Civil Local Rule 3-12(a) provides that actions are related when (1) the actions concern substantially
15 the same parties, property, transaction or event; and (2) it appears likely that there will be an unduly
16 burdensome duplication of labor and expense or conflicting results if the cases are conducted before
17 different judges.

18 The *Vera* Action should be related to the *Le* Action because these actions together readily meet the
19 criteria for relation set forth above. Indeed, no substantive difference exists between the allegations and
20 claims for relief pleaded in the two actions. The *Vera* Action alleges facts and asserts claims involving the
21 same scheme of anticompetitive behavior as that alleged in the *Le* Action. The plaintiffs in both the *Vera*
22 and *Le* Actions have filed suit to seek recovery on behalf of the same two classes: (1) the "Bout Class"—
23 Elite Professional Mixed Martial Arts ("MMA") Fighters who fought in at least one bout promoted by
24 defendant Zuffa, LLC ("Zuffa")¹; and (2) the "Identity Class"—Elite Professional MMA Fighters whose
25 Identity was expropriated or exploited by Zuffa. Both the *Vera* and *Le* plaintiffs seek class damages and
26 injunctive relief for monopolization under Section 2 of the Sherman Act, 15 U.S.C. § 2. Plaintiffs in both

27
28 ¹ This includes Zuffa and its registered trademarks, Ultimate Fighting Championship® and UFC®.

1 these cases also allege a class period running from December 16, 2010 to the present.

2 The class period, the material allegations, the relief sought, and the Defendant—Zuffa—are the
 3 same in these two cases. These two cases therefore will require adjudication of the same questions of law
 4 and fact. Relation of the *Vera* Action to the first-filed *Le* Action will promote the conservation of judicial
 5 and party resources in these cases and will ensure efficiency in their prosecution and final disposition. On
 6 the other hand, were the *Vera* Action to proceed separately from the *Le* Action, the Court and the parties
 7 would experience unduly burdensome duplication of labor and expenses and would face the possibility of
 8 conflicting results.

9 There is another Administrative Motion to Consider Whether Cases Should Be Related pending
 10 in this case. That motion (Dkt. 9, filed Dec. 23, 2014) seeks to relate *Vazquez et al. v. Zuffa, LLC*, Case
 11 No. 5:14-cv-05591-PSG, to this action. No opposition has been filed and no order has been issued by the
 12 Court on the motion.

13 Because the class period, material allegations, relief sought, and defendant are the same in these
 14 two cases, Plaintiffs Cung Le, Nathan Quarry, and Jon Fitch respectfully request that the Court relate the
 15 *Vera* Action to the *Le* Action.

16 Dated: December 30, 2014

JOSEPH SAVERI LAW FIRM, INC.

17 By: /s/ Joseph R. Saveri
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CERTIFICATE OF SERVICE

I am over 18 years of age and am not a party to these proceedings or any of the actions that are the subject of these proceedings. My business address is 505 Montgomery Street, Suite 625, San Francisco, CA 94111.

I am readily familiar with Joseph Saveri Law Firm's practice for collection and processing of documents for mailing with the United States Postal Service, and that practice is that the documents are deposited with the United States Postal Service with postage fully prepaid the same day as the day of collection in the ordinary course of business.

I am also readily familiar with Joseph Saveri Law Firm's practice for collection and processing of documents for service via e-mail, and that practice is that the documents are attached to an e-mail and sent to the recipient's e-mail account the same day as the date listed on the Certificate of Service.

This certificate of service concerns the following document(s):

ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE RELATED PURSUANT TO CIVIL L.R. 3-12 AND 7-11

Pursuant to Civil Local Rule 5-1(h)(2), on Tuesday, December 30, 2014, I served a true and correct copy of the document(s) on the following parties via First Class mail through the U.S. Postal Service and by e-mail:

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Date: December 30, 2014

/s/ Kevin E. Rayhill
Kevin E. Rayhill